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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PERFECT 10, INC.,

Plaintiff,

v.

YANDEX N.V., a Netherlands limited liability company; YANDEX LLC., a Russian limited liability company; YANDEX INC., a Delaware corporation; and DOES 1 through 100, inclusive,

Defendants.

Case No. CV 12-1521 WHA

**PLAINTIFF PERFECT 10, INC.'S
NOTICE RE DEFENDANTS'
IMPROPER REQUEST FOR ORAL
ARGUMENT ON PERFECT 10'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT/SUMMARY
ADJUDICATION**

Discovery Cut-Off Date: July 31, 2013
Pretrial Conference Date: Nov. 21, 2013
Trial Date: Nov. 28, 2013


1 Plaintiff Perfect 10, Inc. wishes to bring to the Court's attention Yandex
2 Inc., Yandex LLC and Yandex N.V. ("Defendants") recent Request for Oral
3 Argument on Perfect 10's Motion for Partial Summary Judgment/Summary
4 Adjudication (Dkt. No. 134) ("Defendants' Request"), which is not in accordance
5 with the rules set forth by this Court. Paragraph 6 of this Court's Supplemental
6 Order to Order Setting Initial Case Management Conference in Civil Cases Before
7 Judge William Alsup ("Supplemental Order") (Dkt. No. 3) clearly states that "a
8 written request for oral argument...filed before a ruling" must "stat[e] that a
9 lawyer of four or fewer years out of law school *will conduct the oral argument or*
10 *at least the lion's share.*" (emphasis added). Defendants' Request merely
11 represents that an attorney with four or fewer years of legal experience "will
12 conduct *portions* of the oral argument" and is not in compliance with this Court's
13 Supplemental Order.

14 Accordingly, Perfect 10 respectfully brings this matter to the Court's
15 attention, and requests that (i) that the Court require that one of Defendants'
16 attorneys with four of fewer years of legal experience after graduating from law
17 school conduct at least the "lion's share" of oral argument on Perfect 10's Motion
18 for Partial Summary Judgment/Summary Adjudication in accordance with this
19 Court's Supplemental Order, or alternatively (ii) that the Court strike Defendants'
20 Request.

21 Respectfully submitted,

22 PERFECT 10, INC.

23 Natalie Locke

24 By: 

25 Natalie Locke

26 Attorneys for Plaintiff Perfect 10, Inc.